

April 4, 1975

PRESIDENT: Senator Swigart, do you wish to be heard on this matter?

SENATOR SWIGART: Mr. President, I wanted to ask Senator Simpson a question, please.

PRESIDENT: Senator Simpson.

SENATOR SWIGART: Senator Simpson, I notice that some of our staff from the planning department in Omaha were here to testify for it, I wanted to ask the question. Would it be true that cities of the metropolitan class where they already have a permit system and inspections of their own that are at least as high a level as the state would prescribe, would they have to then get a state permit as well and be harrassed by other inspections than the regular?

SENATOR SIMPSON: Well, I don't know. You have got a pretty broad question there. First of all, I would say Omaha does not have very high standards so they would probably have to upgrade some of their statutes now in order to comply with what would be necessary statewide and then, if they did, they could ask for the exemption and Omaha could do the enforcement but until that time, they would have to come under state standards.

SENATOR SWIGART: Senator Simpson, we used to have a system where the Health Department in which the state department made a cursory check which was...it amounted to coming in the front door and getting the fee and I certainly approve of your point that they should comply with state standards but after that, I think it ought to be in there that they would not have to get two licenses per year.

PRESIDENT: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I, too, have one question for Senator Simpson and that is this. We now have cities and counties with city plans and county plans and how would this bill, if it were passed, fit in with those counties, such as Sarpy County who now has a county plan?

SENATOR SIMPSON: I see no conflict, whatsoever, in this.

SENATOR NICHOL: Which one would supercede? The state.

SENATOR SIMPSON: If...well, the one that had the higher standard would be the one who would supercede and, specifically, if the state had the higher standards, they would not allow locals to take over their own enforcement. If the locals had the higher standards, then, no doubt, they would be the ones that would be doing the enforcement in their area.

SENATOR NICHOL: OK. Thank you. With that, I don't think that we need this bill. Secondly, as Senator Bereuter pointed out, it would be just another form of government... another division of government which I don't think we need. Thank you.

PRESIDENT: Senator Murphy.